

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 145

4
5 By: Senator B. Pritchard
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For An Act To Be Entitled

8
9 AN ACT TO CLARIFY THE SCOPE OF PRACTICE OF
10 CHIROPRACTIC; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO CLARIFY THE SCOPE OF PRACTICE
14 OF CHIROPRACTIC.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 17-81-102. Definitions.

22 As used in this chapter, ~~unless the context otherwise requires:~~

23 (1) "Analysis" includes physical examination, the use of X-ray
24 and other analytical instruments, and procedures generally used in the
25 practice of chiropractic;

26 (2) "Board" means the Arkansas State Board of Chiropractic
27 Examiners;

28 (3) "Chiropractic" means that science and art which utilizes the
29 inherent recuperative powers of the body and deals with the relationship
30 between the nervous system and the spinal column, including its immediate
31 articulations, and the role of its relationship in the restoration and
32 maintenance of health;

33 (4) "Chiropractic aide" means an unlicensed member of the
34 chiropractic team who may assist a chiropractic physician in the performance
35 of those procedures and techniques constituting the practice of chiropractic
36 as defined in this chapter with the exception of spinal manipulation and



1 adjustment, provided that such assistance shall be performed under the direct
2 supervision of a licensed chiropractic physician;

3 (5) "Physician" means a person authorized or licensed to
4 practice medicine ~~pursuant to~~ under the Arkansas Medical Practices Act, §§
5 17-95-201 - 17-95-207, 17-95-301 - 17-95-305, and 17-95-401 - 17-95-411, a
6 person authorized or licensed to practice chiropractic ~~pursuant to the~~
7 ~~provisions of~~ under this chapter, and a person authorized to practice
8 osteopathy ~~pursuant to~~ under § 17-91-101 et seq.;

9 (6)(A)(i) "Practice of chiropractic" means the engagement in the
10 diagnosis and analysis of any interference with normal nerve transmission and
11 expression, focusing on the relationship between structure, primarily the
12 spine, and function, as coordinated by the nervous system, and how that
13 relationship affects the preservation and restoration of health, and
14 including the procedure preparatory to and complementary to the correction
15 thereof by an adjustment or manipulation of the articulations of the
16 vertebral column, ~~its immediate~~ and extraspinal articulations, including
17 spinal and extraspinal adjustments, ~~spinal~~ manipulations, and ~~spinal~~
18 mobilizations, such as any type of pressure, force, thrust, or passive
19 movement, singular or plural, applied to the spinal vertebrae or ~~their~~
20 ~~adjacent~~ extraspinal articulations by hand or mechanical device or by other
21 incidental adjustments, for the restoration and maintenance of health.

22 (ii) The practice of chiropractic includes therapy,
23 the normal regimen, and rehabilitation of the patient for the purpose of
24 removing any injury, deformity, or abnormality of human beings without the
25 use of drugs or surgery.

26 (B)(i) The practice of chiropractic, as authorized under
27 ~~the provisions of~~ this chapter, shall not include the performance of the
28 duties of a midwife or obstetrician, therapy by the use of ionizing
29 radiation, incisive surgery, prescribing for or administering to any person
30 any drug to be taken internally, or puncturing the skin for the purpose of
31 introducing any substance into the body.

32 (ii) Nothing ~~herein~~ in this section shall prevent
33 puncturing the skin for routine blood analysis, including red blood count,
34 white blood count, differential and serology, in the practice of chiropractic
35 for diagnostic purposes, ~~and~~.

36 (C) The practice of chiropractic includes the practice of

1 acupuncture as defined in § 17-102-102; and

2 (7)(A) "Spinal manipulation adjustment " and "adjustment
 3 manipulation" mean the skillful or dexterous treatment whereby a corrective
 4 force or passive movement of the joint is made to realign vertebrae or
 5 articulations to their normal juxtaposition.

6 (B)(i) No person may perform a spinal manipulation or
 7 spinal adjustment without first having legal authority to differentially
 8 diagnose, and having received a minimum of four hundred (400) hours of
 9 classroom instruction in spinal manipulation or spinal adjustment, and a
 10 minimum of eight hundred (800) hours of supervised clinical training at a
 11 Council on Chiropractic Education-accredited college or university at which
 12 spinal manipulation or spinal adjustment is a primary method of treatment.

13 (ii) "Spinal manipulation" and "spinal adjustment"
 14 are terms that identify a method of skillful and beneficial treatment in
 15 which a person uses direct thrust or other methods to move a joint of the
 16 patient's spine beyond its normal range of motion, but without exceeding the
 17 limits of anatomical integrity.

18 (C) Nothing in this subdivision (7) applies to the scope
 19 of practice of:

20 (i) A person licensed to practice medicine under the
 21 Arkansas Medical Practices Act, §§ 17-95-201 - 17-95-207, 17-95-301 - 17-95-
 22 305, and 17-95-401 - 17-95-411; or

23 (ii) A person authorized to practice osteopathy
 24 under § 17-91-101 et seq.

25
 26 SECTION 2. Arkansas Code § 17-81-303, concerning unlawful practice of
 27 chiropractic, is amended to add an additional subsection to read as follows:

28 (e) A violation of § 17-81-102(7) is an unlawful practice of
 29 chiropractic and is grounds for the offending health care provider's
 30 licensing board to suspend, revoke or refuse to renew the health care
 31 provider's license or for other disciplinary action allowed by law.